



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
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WASHINGTON, D.C. 20554

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DA 14-1799

Released: December 09, 2014

T-MOBILE USA, INC. AND CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS SEEK FCC CONSENT TO THE ASSIGNMENT AND EXCHANGE OF ADVANCED WIRELESS SERVICE AND PERSONAL COMMUNICATIONS SERVICE LICENSES

**ULS File Nos. 0006470946, 0006471047, 0006471442, 0006471467, 0006471494, 0006471630,
0006471661, 0006471669, 0006471671, 0006471692, 0006471756, and 0006471794**

PLEADING CYCLE ESTABLISHED

Petitions to Deny Due:	January 5, 2015
Oppositions Due:	January 15, 2015
Replies Due:	January 23, 2015

I. INTRODUCTION

T-Mobile USA, Inc. (“T-Mobile”) and Cellco Partnership d/b/a Verizon Wireless (“Verizon Wireless,” and together with T-Mobile, the “Applicants”) have filed applications pursuant to section 310(d) of the Communications Act of 1934, as amended,¹ seeking the simultaneous assignment and exchange of Advanced Wireless Service (“AWS-1”) and Personal Communications Service (“PCS”) licenses by and among T-Mobile License LLC and SunCom Wireless License Company, LLC (both wholly-owned subsidiaries of T-Mobile) and Verizon Wireless and certain of its subsidiaries.² The subject licenses cover geographic areas throughout the United States. The proposed transaction involves the transfer of spectrum; no customers or networks would be transferred.³

The proposed transaction implicates both intra- and inter-market exchanges of spectrum. The Applicants indicate that the intra-market exchanges involve equal amounts of spectrum such that neither Applicant would increase its spectrum holdings in the particular market. According to the Applicants, the intra-market exchanges would allow each of them to hold larger blocks of contiguous spectrum and/or align spectrum blocks with those already held in adjacent markets, which in turn would permit more efficient operations. The Applicants further assert that the inter-market exchanges, which would increase spectrum holdings in particular markets, would add capacity and improve data throughput speeds.

¹ 47 U.S.C. § 310(d).

² The following Verizon Wireless subsidiaries are involved in this transaction: Portland Cellular Partnership; Alltel Communications, LLC; WWC License L.L.C.; and WWC Texas RSA Limited Partnership.

³ The Applicants have entered into pre-closing spectrum manager leasing arrangements that permit the proposed assignees to use of some of the licenses that are the subject of the proposed transaction prior to obtaining the requested Commission consent. See ULS File Nos. 0006490020, 0006490029, 0006490401, 0006490406, 0006490416, 0006490423, and 0006490426.

Preliminary review of the applications indicates that the spectrum implicated by the proposed transaction covers 92 counties in all or parts of 41 Cellular Market Areas (“CMAs”) geographically dispersed throughout the United States. As a result of the proposed intra-market and inter-market exchanges, T-Mobile would hold 30 to 102 megahertz of spectrum in total, and Verizon Wireless would hold 52 to 127 megahertz of spectrum in total, post-transaction.

II. SECTION 310(d) APPLICATIONS

The applications for the assignment of licenses have been assigned the following file numbers:

<u>File No.</u>	<u>Licensee/Assignor</u>	<u>Assignee</u>	<u>Lead Call Sign</u>
0006470946 ⁴	T-Mobile License LLC	Cellco Partnership	KNLG267
0006471047	T-Mobile License LLC	Cellco Partnership	WPOL260
0006471442	T-Mobile License LLC	Portland Cellular Partnership	KNLG272
0006471467	SunCom Wireless License Company, LLC	Cellco Partnership	WQGD465
0006471494	SunCom Wireless License Company, LLC	Cellco Partnership	WQGD475
0006471630	Cellco Partnership	T-Mobile License LLC	KNLG259
0006471661	Cellco Partnership	T-Mobile License LLC	WQGA715
0006471669	Cellco Partnership	SunCom Wireless License Company, LLC	WQGA717
0006471671	Portland Cellular Partnership	T-Mobile License LLC	KNLH278
0006471692	Alltel Communications, LLC	T-Mobile License LLC	WQBT325
0006471756	WWC License L.L.C.	T-Mobile License LLC	WPZI379
0006471794	WWC Texas RSA Limited Partnership	T-Mobile License LLC	WPZA801

III. EX PARTE STATUS OF THIS PROCEEDING

Pursuant to section 1.1200(a) of the Commission’s rules,⁵ the Commission may adopt modified or more stringent *ex parte* procedures in particular proceedings if the public interest so requires. We announce that this proceeding will be governed by permit-but-disclose *ex parte* procedures that are applicable to non-restricted proceedings under section 1.1206 of the Commission’s rules.⁶

Parties making oral *ex parte* presentations are directed to the Commission’s *ex parte* rules. Parties are reminded that memoranda summarizing the presentation must contain the presentation’s substance and not merely list the subjects discussed.⁷ More than a one- or two-sentence description of the

⁴ The Applicants have designated ULS File No. 0006470946 as the lead application.

⁵ 47 C.F.R. § 1.1200(a).

⁶ 47 C.F.R. § 1.1206.

⁷ See 47 C.F.R. § 1.1206(b)(1).

views and arguments presented is generally required.⁸ Other rules pertaining to oral and written presentations are set forth in section 1.1206(b) as well.⁹

IV. GENERAL INFORMATION

The assignment applications have been found, upon initial review, to be acceptable for filing. The Commission reserves the right to return any application if, upon further examination, it is determined to be defective and not in conformance with the Commission's rules or policies.

Interested parties must file petitions to deny no later than **January 5, 2015**. Persons and entities that file petitions to deny become parties to the proceeding. They may participate fully in the proceeding, including seeking access to any confidential information that may be filed under a protective order, seeking reconsideration of decisions, and filing appeals of a final decision to the courts. Oppositions to such pleadings must be filed no later than **January 15, 2015**. Replies to such pleadings must be filed no later than **January 23, 2015**. All filings concerning matters referenced in this Public Notice should refer to ULS File Nos. 0006470946, 0006471047, 0006471442, 0006471467, 0006471494, 0006471630, 0006471661, 0006471669, 0006471671, 0006471692, 0006471756, and/or 0006471794, as appropriate.

To allow the Commission to consider fully all substantive issues regarding the applications in as timely and efficient a manner as possible, petitioners and commenters should raise all issues in their initial filings. New issues may not be raised in responses or replies.¹⁰ A party or interested person seeking to raise a new issue after the pleading cycle has closed must show good cause why it was not possible for it to have raised the issue previously. Submissions after the pleading cycle has closed that seek to raise new issues based on new facts or newly discovered facts should be filed within 15 days after such facts are discovered. Absent such a showing of good cause, any issues not timely raised may be disregarded by the Commission.

Under the Commission's current procedures for the submission of filings and other documents,¹¹ submissions in this matter may be filed electronically through the Commission's Universal Licensing System ("ULS") or by hand delivery to the Commission.

- **To file electronically**, visit the ULS web site at <http://wireless.fcc.gov/uls/> and click on the "Submit a Pleading" link, complete the administrative information, and upload your pleading.
- **To file by paper**, the original and four copies of each filing must be filed by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th St., S.W., Room TW-A325, Washington, D.C. 20554. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class, Express, and Priority mail should be addressed to 445 12th Street, S.W., Washington, D.C. 20554. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

⁸ See *id.*

⁹ 47 C.F.R. § 1.1206(b).

¹⁰ See 47 C.F.R. § 1.45(c).

¹¹ See FCC Announces Change in Filing Location for Paper Documents, *Public Notice*, 24 FCC Rcd 14312 (2009).

One copy of each pleading must be delivered electronically, by e-mail or facsimile, or if delivered as paper copy, by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (according to the procedures set forth above for paper filings), to: (1) the Commission's duplicating contractor, Best Copy and Printing, Inc., at FCC@BCPIWEB.COM or (202) 488-5563 (facsimile); (2) Scott Patrick, Mobility Division, Wireless Telecommunications Bureau, at scott.patrick@fcc.gov or (202) 418-7447 (facsimile); (3) Linda Ray, Broadband Division, Wireless Telecommunications Bureau, at linda.ray@fcc.gov or (202) 418-7247 (facsimile); (4) Kate Mataves, Spectrum and Competition Policy Division, Wireless Telecommunications Bureau, at catherine.mataves@fcc.gov or (202) 418-7447 (facsimile); and (5) Jim Bird, Office of General Counsel, at TransactionTeam@fcc.gov or (202) 418-1234 (facsimile).

Copies of the applications and any subsequently-filed documents in this matter may be obtained from Best Copy and Printing, Inc. in person at 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, via telephone at (202) 488-5300, via facsimile at (202) 488-5563, or via email at FCC@BCPIWEB.COM. The applications and any associated documents are also available for public inspection and copying during normal reference room hours at the following Commission office: FCC Reference Information Center, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554. The applications are also available electronically through ULS, which may be accessed on the Commission's Internet website. To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an email to fcc504@fcc.gov or call the Consumer and Governmental Affairs Bureau at (202) 418-0530 (voice) or (202) 418-0432 (TTY). Contact the FCC to request reasonable accommodations for filing comments (accessible format documents, sign language interpreters, CART, etc.) by email: FCC504@fcc.gov; phone: (202) 418-0530 or TTY: (202) 418-0432.

For further information, contact Scott Patrick, Mobility Division, Wireless Telecommunications Bureau, at (202) 418-2853, or Kate Mataves, Spectrum and Competition Policy Division, Wireless Telecommunications Bureau, at (202) 391-6272.

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